

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

ROBERT KOLINEK, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

WALGREEN CO., an Illinois corporation,

Defendant.

Case. No. 13-cv-04806

Hon. Matthew F. Kennelly

**PLAINTIFF’S UNOPPOSED MOTION FOR LEAVE TO FILE
MEMORANDUM IN SUPPORT OF MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT WITH EXCESS PAGES, *INSTANTER***

Plaintiff Robert Kolinek (“Plaintiff” or “Kolinek”), by and through his undersigned counsel and without opposition from Defendant Walgreen Co. (“Defendant” or “Walgreens”), hereby respectfully moves the Court pursuant to Local Rule 7.1 for an Order granting him leave to file a Memorandum in Support of his Motion for Final Approval of Class Action Settlement in excess of the Court’s fifteen (15) page limit. In support of this Motion, Plaintiff states as follows:

1. On April 3, 2015, the Court granted preliminary approval of the Parties’ proposed class action Settlement (the “Preliminary Approval Order”). (Dkt. 97.)
2. Pursuant to the Court’s Preliminary Approval Order, Plaintiff was required to file his motion and memorandum of law in support of final approval of the Settlement, including a response to any objections to the Settlement, on or before July 29, 2015. (*Id.*)
3. As of this filing, twenty objections have been raised to the Settlement. While some objections span between one and five pages in length (*see, e.g.*, dkt. 99 (two page objection)), others—particularly those filed at or near the objection deadline by so-called

“professional” objectors—approach or even exceed the Court’s fifteen page limit on briefs (*see*, *e.g.*, dkt. 118 (19 page objection)).

4. In the interests of efficiency, and rather than filing twenty separate responses, Plaintiff intends on filing a single response that addresses each and every objection (along with the other bases for granting final approval of the Settlement) within his Memorandum in Support of his Motion for Final Approval of Class Action Settlement (the “Memorandum”).

5. Under Local Rule 7.1, a brief in support of a motion may not exceed fifteen pages absent leave of Court. However, in order to adequately address each objection in a single brief, Plaintiff’s Memorandum exceeds the Court’s fifteen-page limit.

6. Specifically, Plaintiff’s Memorandum includes a total of fifty-five (55) pages of substance.

7. Prior to filing the instant motion, Plaintiff’s counsel conferred with counsel for Defendant Walgreens, and is authorized to state that Walgreens has no objection to the relief requested herein.

8. Attached hereto as Exhibit 1 is a true and accurate copy of Plaintiff’s Memorandum in Support of Final Approval of Class Action Settlement.

WHEREFORE, Plaintiff Robert Kolinek, individually and on behalf of the Settlement Class, respectfully requests that the Court enter an Order (i) granting him leave to file his Memorandum in Support of Motion for Final Approval of Class Action Settlement, the substance of which shall not exceed fifty-five (55) pages, *instanter*, and (ii) providing such other and further relief as the Court deems reasonable and just.

Respectfully submitted,

ROBERT KOLINEK, individually and on behalf
of the Settlement Class,

Dated: July 29, 2015

By: /s/ Rafey S. Balabanian
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Rafey S. Balabanian, an attorney, hereby certify that on July 29, 2015, I served the above and foregoing ***Plaintiff's Unopposed Motion for Leave to File Memorandum in Support of Motion for Final Approval of Class Action Settlement with Excess Pages, Instantly***, by causing a true and accurate copy of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system, on this the 29th day of July 2015.

/s/ Rafey S. Balabanian _____